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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 MARIO A. TOSTADO,

9 Plaintiff,

10 v.

11 VENTURE TRUST 2013-I-H-R by MCM
CAPITAL PARTNERS, LLC, *et al.*,

12 Defendants.
13

Case No. C17-0353RSL

ORDER GRANTING BANK OF
AMERICA'S MOTION TO DISMISS

14 This matter comes before the Court on defendant Bank of America's "Motion to
15 Dismiss." Dkt. # 6. Defendant argues that the allegations of the complaint are insufficient to
16 support the breach of contract and Washington Consumer Protection Act claims asserted against
17 it. The motion is now ripe for consideration.

18 Plaintiff has not filed a response memorandum or otherwise opposed dismissal of his
19 claims against Bank of America. The Court considers such a failure to be "an admission that the
20 motion has merit." LCR 7(b)(2). Defendant's motion is therefore GRANTED. Plaintiff's claims
21 against Bank of America are hereby DISMISSED.
22

23 DATED this 11th day of May, 2017.
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26 Robert S. Lasnik
United States District Judge